

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
CHICAGO DIVISION**

THE TRUSTEES OF  
PURDUE UNIVERSITY,

Plaintiff,

vs.

OMRON CORPORATION and OMRON  
HEALTHCARE COMPANY, LIMITED,

Defendants.

Civil Action No. 1:20-cv-05443

**CORRECTED JOINT STATUS REPORT**

Pursuant to the Court's December 4, 2020 Order (ECF No. 100), Plaintiff The Trustees of Purdue University and Defendants Omron Corporation and Omron Healthcare Company, Limited respectfully submit this corrected joint status report.<sup>1</sup>

On November 12, 2020, the parties filed the Report of the Parties' Planning Meeting (ECF No. 96), which is incorporated herein by reference. On November 18, 2020, the Court adopted the parties' proposed schedule "where agreed" and set the initial disclosures deadline to "14 days after the decision the motion to dismiss." ECF No. 99.<sup>2</sup> Accordingly, on December 18, 2020, the parties exchanged their initial disclosures required by Federal Rule of Civil Procedure 26(a)(1) and Local Patent Rule 2.1. Additionally, in response to the parties' joint motion for clarification (ECF. No. 102), the Court set April 28, 2021 as the final date for plaintiff to join parties, without leave. *See* ECF. No. 104.

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<sup>1</sup> Subsequent to filing the parties' Joint Status Report (ECF No. 107), the parties became aware of a typographical error in the schedule which the parties wish to correct by this corrected filing.

<sup>2</sup> The November 18, 2020 Order also provides that each side to take up to 20 fact depositions.

Attached hereto as Exhibit 1 is a proposed scheduling order that incorporates all agreed to, including additional weeks for source code analysis, and Court ordered deadlines.

Dated: January 8, 2021

Respectfully submitted,

/s/ Halima Shukri Ndai

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 8, 2021, the foregoing was electronically filed with the Clerk of the Court using the Court's CM/ECF system which will send notification of the filing to all counsel of record.

/s/ Halima Shukri Ndai  
Halima Shukri Ndai

**EXHIBIT 1****[PROPOSED] CORRECTED SCHEDULING ORDER**

| <b>Event</b>  | <b>Proposed Date</b>   |
|---|--|
| Initial Infringement Contentions -- LPR 2.2   | February 5, 2021   |
| Initial Non-Infringement, Unenforceability, and Invalidity Contentions -- LPR 2.3       | March 5, 2021  |
| Initial Response to Invalidity Contentions -- LPR 2.5                                   | March 19, 2021   |
| Final Date to Amend Pleadings or Join Parties <sup>3</sup>                              | April 28, 2021   |
| Final Date to Identify Asserted Claims -- LPR 3.1                                       | June 18, 2021  |
| Final Infringement, Unenforceability, and Invalidity Contentions -- LPR 3.1             | July 2, 2021   |
| Final Non-Infringement, Enforceability and Validity Contentions -- LPR 3.2              | July 30, 2021  |
| Final Date to Seek Stay Pending USPTO Proceeding -- LPR 3.5                             | July 30, 2021  |
| Exchange of Proposed Claim Terms for Construction and Proposed Constructions -- LPR 4.1 | August 13, 2021  |
| Meet and Confer to Narrow Terms to be Presented to the Court -- LPR 4.1(b)              | August 20, 2021  |
| Close of Fact Discovery (until entry of claim construction ruling) -- LPR 1.3           | September 10, 2021   |
| Defendants' Opening Claim Construction Brief -- LPR 4.2(a)                              | September 17, 2021   |
| Parties File Joint Appendix -- LPR 4.2(b)   | September 17, 2021   |
| Plaintiff's Responsive Claim Construction Brief -- LPR 4.2(c)                           | October 15, 2021   |
| Defendants' Reply Claim Construction Brief -- LPR 4.2(d)                                | October 29, 2021   |
| Joint Claim Construction Chart and Status Report -- LPR 4.2(f)                          | November 5, 2021   |
| Claim Construction Hearing -- LPR 4.3   | To be set by Court<br>(any exhibits, including demonstrative exhibits, to be used at a claim construction hearing must be exchanged no later than 3 days before the hearing) |
| Fact Discovery Resumes -- LPR 1.3   | Upon entry of claim construction ruling  |

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<sup>3</sup> Leave of Court is required to amend pleadings after this deadline.

**EXHIBIT 1**

| <b>Event</b>   | <b>Proposed Date</b>  |
|--|---|
| Discovery Concerning Opinions of Counsel -- LPR 3.6 <sup>4</sup> | 7 days after claim construction ruling  |
| Final Close of Fact Discovery -- LPR 1.3                         | 42 days after claim construction ruling   |
| Initial Expert Reports -- LPR 5.1(b)                             | 28 days after claim construction ruling or the close of discovery after the claim construction ruling, whichever is later |
| Rebuttal Expert Reports -- LPR 5.1(c)                            | 28 days after initial reports.  |
| Completion of Expert Depositions -- LPR 5.2                      | 28 days after rebuttal reports.   |
| Final day for Dispositive Motions -- LPR 6.1                     | 28 days after end of expert discovery   |

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<sup>4</sup> The parties will provide specific dates for the remaining deadlines within two weeks of the Court's claim construction ruling.